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11
12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

15 JENI PEARSONS, et al.,

16 Plaintiffs,

17 v.

18 UNITED STATES OF AMERICA, et
19 al.,

20 Defendants.

No. 2:23-cv-07952-RGK-MAR

**STIPULATION TO ALLOW
PLAINTIFFS TO USE MATERIAL
DESIGNATED AS CONFIDENTIAL IN
RELATED CASE**

[Discovery Matter]

Honorable R. Gary Klausner
United States District Judge

Honorable Margo A. Rocconi
United States Magistrate Judge

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24 Counsel for plaintiffs Jeni Pearsons and Michael Storck ("Plaintiffs") and defendant
25 United States of America ("United States") hereby enter into the following stipulation to
26 allow Plaintiffs to use material designated as confidential in a related case subject to the
27 Court's approval. The stipulation is based on the following:
28

1 1. The Court entered a Protective Order in *Snitko v. United States*, 2:21-cv-
2 04405-RGK-MAR (“*Snitko*”) on April 8, 2022 at Dkt. 92.

3 2. Counsel for the *Snitko* plaintiffs also represent plaintiffs who have since
4 initiated the following related lawsuits against the United States:

5 a. *Jeni Pearsons, et al. v. United States of America, et al.*, 2:23-cv-07952-
6 RGK-MAR (“*Pearsons*”); and

7 b. *Donald Leo Mellein v. United States of America, et al.*, 2:23-cv-07970-
8 RGK-MAR (“*Mellein*”).

9 3. The *Pearsons* and *Mellein* complaints name as unnamed DOE defendants
10 individual Federal Bureau of Investigation agents who searched Pearsons’ safe deposit
11 box (Box 4301) and Mellein’s safe deposit box (Box 224) at U.S. Private Vaults in
12 Beverly Hills, California.

13 4. Counsel for Plaintiffs have received information in the *Snitko* litigation that
14 the United States designated as “CONFIDENTIAL” pursuant to the Protective Order that
15 states the names of the agents who searched Box 224 and Box 4301.

16 5. Section 7.1 of the Protective Order limits the use of Protected Material only
17 for purposes of prosecuting, defending, or attempting to settle *Snitko*.

18 6. Counsel for Plaintiffs and the United States have agreed to the use of the
19 Protected Material in *Snitko* for the sole purpose of identifying the individual DOE
20 defendants in *Pearsons* and *Mellein* to avoid burdensome and redundant discovery in
21 *Pearsons* and *Mellein*.

22 ACCORDINGLY, Plaintiffs and the United States HEREBY STIPULATE THAT
23 Section 7.1 of Protective Order be modified for the sole purpose of permitting the use of
24 Protected Material from *Snitko* to be used by Plaintiffs’ counsel in *Pearsons* and *Mellein*
25 for the sole purpose of amending the complaints in *Pearsons* and *Mellein* to add the
26 names the individual DOE defendants who searched Box 224 and Box 4301. All other
27 provisions of the Protective Order in *Snitko* remain in effect. Nothing in this Stipulation
28 constitutes a waiver or withdrawal of the of the requirements of Paragraph 4 or

Paragraph 6.3 of the Protective Order.

Dated: December 1, 2023

Respectfully submitted,

INSTITUTE FOR JUSTICE
Joseph Gay*
Robert Frommer*
Robert E. Johnson*

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Lou Egerton-Wiley
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/s/ Joseph Gay

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Dated: December 1, 2023

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ATTESTATION UNDER LOCAL RULE 5-4.3.4

I, Jasmin Yang, am the ECF User whose ID and password are being used to file this STIPULATION TO ALLOW PLAINTIFFS TO USE MATERIAL DESIGNATED AS CONFIDENTIAL IN RELATED CASE. In compliance with Local Rule 5-4.3.4(a)(2), I hereby certify and attest that Plaintiffs' counsel, Joseph Gay, has concurred in this filing.

DATED: December 1, 2023

/s/ Jasmin Yang

JASMIN YANG
Assistant United States Attorney